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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,338	01/22/2002	John Zimmerman	US020029	9265

24737 7590 09/23/2004

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

DETWILER, BRIAN J

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/055,338

Applicant(s)

ZIMMERMAN ET AL.

Examiner

Brian J. Detwiler

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☒ Claim(s) 8 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

Claim 8 is objected to because it fails to reference claim 7, which it was clearly intended to depend on. A suitable correction would be: "A user interface as in claim 7, wherein..." Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

Patent No. 6,248,946 (Dwek).

Referring to claim 1, Dwek discloses in Figure 3A displaying controls that indicate current search criteria [341-343], simultaneously displaying results of a search defined by said search criteria [344], simultaneously displaying at least one current task to be performed with respect to selected ones of said results [345-347] and indicating said selected ones [344], and simultaneously permitting access to controls to modify at least one of said search criteria [341-343], said at least one current task [345-347], and said selected ones [344].

Referring to claim 2, Dwek discloses in Figure 3A simultaneously displaying controls to modify said at least one of said search criteria [341-343], said at least one current task [345-347], and said selected ones [344].

Referring to claim 3, Dwek discloses in Figure 3A displaying an indication of search controls that indicate current search criteria in a display area [341-343], simultaneously displaying on said display area an indication of results of a search defined by said search criteria [344], simultaneously displaying an indication of task controls and an indication of at least one current task to be performed with respect to selected ones of said results [345-347] and indicating said selected ones [344], and permitting a user to access said search controls [341-343] and said task controls [345-347], and selectively displaying at least one of said results [344], currently selected search criteria [341-343], and said at least one current task responsively to commands from a user (see handles [330]).

Referring to claims 4-6, Dwek discloses in Figure 3A immediately updating said results list [344] responsively to current settings of said search controls [341-343] and immediately updating said indication of at least one current task responsively to modification of said task controls [345-347] (see playlist pane [320c] and player controls in top right of figure).

Referring to claim 7, Dwek discloses in Figure 3A a display generator configured to simultaneously indicate a current search criteria set [341-343], a results set [344], and a task set (see playlist pane [320c]), said task set indicating a subset of the results on which a currently selected task (playback) is to be performed, each of said search criteria set, results set, task set, or a placeholder therefor (empty space upon disabling a pane with

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one of handles [330]), being simultaneously displayed, said place-holder being activateable responsive to control commands [330].

Referring to claim 8, Dwek discloses in Figure 3A a task set [320c] that provides for playing music.

Conclusion

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach alternate media player interfaces.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Detwiler whose telephone number is 703-305-3986 through October 20, 2004. The examiner's phone number thereafter will be 571-272-4049. The examiner can normally be reached Monday through Thursday from 8am-5:30pm and alternating Fridays from 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca can be reached at 703-308-3116 through October 20, 2004. Mr. Cabeca will be reachable at 571-272-4048 after October 20th. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bjd



JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100